

**Georgia Form 501** (Rev. 6/05)  
Fiduciary Income Tax Return



0600804011

**Mailing Address**  
Georgia Department of Revenue  
Processing Center  
P.O. Box 740316  
Atlanta, Georgia 30374-0316

2005 OR OTHER TAX YEAR BEGINNING \_\_\_\_/\_\_\_\_/\_\_\_\_ ENDING \_\_\_\_/\_\_\_\_/\_\_\_\_

<b>A.</b> Federal Employer Id. No.		Name of Estate or Trust		
<b>B.</b> Date of Creation of Trust or Decedent's Death		Name and Title of Fiduciary		Telephone No.
		Address of Fiduciary (Number and Street)		City, State, and Zip Code
<b>C.</b> Name and address on last year's return if different from above. If no return was filed last year, state reason.				
<b>D.</b> Indicate latest taxable year (within last 5 years) adjusted by INTERNAL REVENUE SERVICE _____ If Internal Revenue Service adjusted net income within last 5 years, a detailed statement of such adjustment must be submitted under separate cover to: Georgia Department of Revenue, Processing Center, P.O. Box 740316, Atlanta, Georgia 30374-0316.				
<b>Schedule 1 - Computation of Tax</b>	1.	Income of fiduciary (Adjusted total income from attached Form 1041) .....	1.	
	2.	Adjustments: (List of all items in Schedule 3, Page 2) .....	2.	
	3.	Total (Line 1 plus or minus Line 2) .....	3.	
	4.	Beneficiaries' share of income (Total of Schedule 2) .....	4.	
	5.	Balance (Line 3 less Line 4) .....	5.	
	6.	Exemptions: (Trusts \$1,350 / Estates \$2,700) .....	6.	
	7.	Net taxable income of fiduciary (Line 5 less Line 6) .....	7. ►	
	8.	Total tax .....	8. ►	
	9.	Less Credits (Attach copy of return) .....	9. ►	
	10.	Balance .....	10.	
	11.	Less payments on Georgia estimated income tax or Georgia tax withheld .....	11. ►	
	12.	Balance of tax due .....	12. ►	
	13.	Interest .....	13. ►	
	14.	Penalties-Late Payment _____ Late Filing _____ Underpayment Estimated _____	14. ►	
	15.	Total amount due (Pay this amount in full to Taxpayer Services Division) .....	15.	
	16.	Overpayment (Line 10 less Line 11) .....	16.	
	17.	Amount to be refunded .....	17.	
	18.	Amount of Line 16 to be credited to 2006 estimated tax .....	18.	
<b>Schedule 2</b> Beneficiaries' Share of Income Enter Name, Address, and ID Number	<b>A</b>	1.		
		2.		
		3.		
		4.		
	<b>B</b>	1.		
		2.		
		3.		
		4.		
<b>TOTAL (Enter also on Line 4, Schedule 1)</b>				

DECLARATION: I/we declare under the penalties of perjury that I/we have examined this return (including accompanying schedules and statements) and to the best of our knowledge and belief it is true, correct, and complete. If prepared by a person other than taxpayer, this declaration is based on all information of which the preparer has any knowledge.

\_\_\_\_\_  
Signature of Fiduciary

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature and Identification Number of Preparer other than Fiduciary

Department Use Only

**THE FIDUCIARY MUST ATTACH TO THIS RETURN A COPY OF  
ITS FEDERAL RETURN AND SUPPORTING SCHEDULES**

**SCHEDULE 3 - ADJUSTMENTS TO INCOME - FORM 501 TAXPAYER'S FEIN****ADDITIONS:**

Municipal bond interest - other states .....  
Income tax deduction other than Georgia .....  
Expense allocable to exempt income (other than US obligations) .....


**TOTAL ADDITIONS** .....

**SUBTRACTIONS:**

Interest - U.S. Government Bonds (must be reduced by direct and indirect interest expense) .  
Income Tax Refund other than Georgia .....


**TOTAL SUBTRACTIONS** .....

**NET ADJUSTMENT:** Total additions less total subtractions. (Enter also on Line 2, Schedule 1)


**Job Creation and Worker Assistance Act of 2002, Jobs and Growth Tax Relief Reconciliation Act of 2003, Working Families Tax Relief Act of 2004, and American Jobs Creation Act of 2004.** Georgia has adopted the provisions of these acts (as they relate to the computation of Federal taxable income) for taxable years beginning on or after January 1, 2005, except for I.R.C. Section 168(k) (30% and 50% bonus depreciation), Section 1400L (tax benefits for the New York Liberty Zone), and Section 199 (deduction for income attributable to domestic production activities), which are treated as if they are not in effect. For tax years beginning on or after January 1, 2005, Georgia has now adopted the increased I.R.C. Section 179 deduction (\$105,000 in 2005) and the related phase out (\$420,000 in 2005) that was enacted as part of the Jobs and Growth Tax Relief Reconciliation Act of 2003. For more information, please go to our webpage at [www.dor.ga.gov](http://www.dor.ga.gov) or call (404) 417-2300. Every resident and nonresident fiduciary having income from sources within Georgia or managing funds or property for the benefit of a resident of this state is required to file a Georgia income tax return on Form 501.

Returns are required to be filed by the 15th day of the 4th month following the close of the taxable year.

The Georgia Code provides penalties for failure to comply with its provisions and for interest on late payments of tax and deficiencies.

**SPECIFIC INSTRUCTIONS****Schedule 1**

Enter on Line 1 the amount of gross income less the itemized deductions shown on the Federal Form 1041.

Enter on Line 2 the net adjustment from Schedule 3.

Enter on Line 4 the total portion of income distributable to all beneficiaries as listed in Schedule 2.

Enter on Line 6 the exemption: Trusts \$1,350, Estates \$2,700.

Compute the total income tax on the amount shown on Line 7 from the following tax rate schedule, entering the total tax due on Line 8.

If the amount on Line 7 is Over	But Not Over	Amount of Tax is	Of Excess Over
.....	\$ 750 .....	1%.....	.....
\$ 750 .....	\$ 2250 .....	7.50+2% .....	\$ 750
\$ 2250 .....	\$ 3750 .....	37.50+3% .....	\$ 2250
\$ 3750 .....	\$ 5250 .....	82.50+4% .....	\$ 3750
\$ 5250 .....	\$ 7000 .....	142.50+5% .....	\$ 5250
\$ 7000 .....	.....	230.00+6% .....	\$ 7000

**Line 9**

A credit is allowed on Line 9 for income tax paid to other States. A copy of the other state's return must be attached.

For information about business tax credits, see our website.

Credit for nonresident withholding on distributions from pass through entities and sale of property by nonresidents. See O.C.G.A. Sections 48-7-128 and 48-7-129. **Attach a copy of G-2RP or G-2-A or the closing statement showing the amount withheld. Submit a schedule for the total credit claimed. The amount on the schedule must equal the amount claimed on Line 9.**

**Schedule 2**

Complete Schedule 2 to reflect for each beneficiary on: Line 1, full name; Line 2, number and street; Line 3, city and state of residence; and, Line 4, identification number. State the total amount of income distributable to each. If there are more than two beneficiaries, attach a list showing the same information for each.

The total of Schedule 2 must be the same as the amount on Line 4, Schedule 1.

**Schedule 3**

Georgia taxable income of a fiduciary is its Federal income with certain adjustments as provided in Code Section 48-7-27. List all additions and all subtractions in the appropriate sections of Schedule 3. The more common adjustments are shown.

**ADDITIONS:** Interest on State and Municipal bonds other than Georgia and its political subdivisions. Any income tax claimed as a deduction on Form 1041 **other than** Georgia. Fiduciary fee and other expense allocable to income exempt from Georgia tax (other than U.S. obligations).

**SUBTRACTIONS:** Interest and dividends on U.S. Government bonds and other U.S. obligations. U.S. obligation income must be reduced by direct and indirect interest expense. To arrive at this reduction, the total interest expense is multiplied by a fraction, the numerator of which is the taxpayers average adjusted basis of the U.S. obligations, and the denominator of which is the average adjusted basis of all assets of the taxpayer. **NOTE:** Interest received from the Federal National Mortgage Association (FNMA), Government National Mortgage Association (GNMA), Federal Home Loan Mortgage Corporation (FHLMC), and interest derived from repurchase agreements are not considered to be obligations of the United States and are taxable. Income Tax refunds included as income on Form 1041 other than Georgia. Enter the total adjustments on the indicated line of Schedule 3 and on Line 2, Schedule 1.

**GENERAL INSTRUCTIONS****PENALTIES AND INTEREST**

**DELINQUENT FILING OF RETURN** - 5% of the tax shown on the return for each month or fractional part thereof - up to 25%.

**FAILURE TO PAY** tax shown on a return by due date - 1/2 of 1% of the tax due for each month or fractional part thereof - up to 25%.

Note: Late payment and late filing penalties together cannot exceed 25%.

A **PENALTY OF \$1,000** may be assessed against an individual who files a frivolous return.

**NEGLIGENT** underpayment of tax - 5% of the underpayment.

**FRAUDULENT UNDERPAYMENT** - 50% thereof.

**FAILURE TO FILE ESTIMATED TAX** - 9% per annum for the period of underpayment. Form 500UET is available upon request for computation of underestimated installment payments.

**INTEREST** is computed at 12% per year on any unpaid tax from the date due until paid.

An extension of time for filing does not relieve late payment penalty or interest.

**ESTIMATED TAX**

Code Section 48-7-114 requires Fiduciaries to pay estimated tax. Each Fiduciary subject to Georgia Income Tax who reasonably expects to have during the year gross income which exceeds: (1) The personal exemption; plus (2) Estimated deductions; plus (3) \$1,000 income not subject to withholding is required to file.

**WHEN AND WHERE TO FILE ESTIMATED TAX.** Estimated tax payments required to be filed by persons not regarded as farmers or fishermen shall be filed on or before April 15th of the taxable year, except that if the above requirements are first met on or after April 1st, and before June 1st, the tax must be paid by June 15th; on or after June 1st and before September 1st, by September 15th; and on or after September 1st, by January 15th of the following year. Fiduciaries filing on a fiscal-year basis ending after December 31st, must file on corresponding dates.

The estimate coupon, Form 500ES, should be mailed to the Department of Revenue, P.O. Box 740319, Atlanta, GA 30374-0319.

**PAYMENT OF ESTIMATED TAX FOR 2006.** Payment in full of your estimated tax may be made with the first required payment or in equal installments during this year on or before April 15th, June 15th, September 15th, and the following January 15th. Make your check or money order payable to "Georgia Taxpayer Services Division."

Georgia Public Revenue Code Section 48-2-31 stipulates that "taxes shall be paid in lawful money of the United States free of any expense to the State of Georgia."